



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2018-0328; Airspace Docket No. 18-ASO-7]

RIN 2120-AA66

Amendment of Class D Airspace and Class E Airspace, and Revocation of Class E Airspace: New Smyrna Beach, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D airspace and Class E airspace extending upward from 700 feet or more above the surface, and removes Class E airspace designated as an extension to a Class D surface area at New Smyrna Beach Municipal Airport, New Smyrna Beach, FL. This action accommodates airspace reconfiguration due to the decommissioning of New Smyrna Beach non-directional beacon radio (NDB), and cancellation of the NDB approaches. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at this airport. This action also updates the geographic coordinates of the airport, and Massey Ranch Airpark, and replaces the outdated term Airport/Facility Directory with the term Chart Supplement in the legal description of Class D airspace.

DATES: Effective 0901 UTC, November 8, 2018. The Director of the Federal Register approves this incorporation by reference action under title 1 Code of

Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC, 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION, CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Av, College Park, GA 30337; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I,

Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class D and Class E airspace, and removes Class E airspace at New Smyrna Beach Municipal Airport, New Smyrna Beach, FL, to support standard instrument approach procedures for IFR operations at the airport.

History

The FAA published a notice of proposed rulemaking in the **FEDERAL REGISTER** (83 FR 25973, June 5, 2018) for Docket No. FAA-2018-0328 to amend Class D airspace and Class E airspace area extending upward from 700 feet or more above the surface, and remove Class E extension airspace at New Smyrna Beach Municipal Airport, New Smyrna Beach, FL, as the New Smyrna Beach NDB has been decommissioned and the NDB approach cancelled.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and E airspace designations are published in paragraph 5000, 6004, and 6005, respectively, of FAA Order 7400.11B dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR Part 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14 Code of Federal Regulations (14 CFR) amends part 71 by:

Amending Class D airspace , at New Smyrna Beach Municipal Airport, New Smyrna Beach, FL, by adjusting the geographic coordinates to be in concert with the FAA's aeronautical database; making an editorial change to the airspace legal description replacing Airport/Facility Directory with Chart Supplement;

Removing Class E extension airspace as the airspace is no longer needed due to the airspace redesign; and

Amending Class E airspace area extending upward from 700 feet or more above the surface to within a 6.8-mile (increased from a 6.6-mile) radius of at New Smyrna Beach Municipal Airport, New Smyrna Beach, FL, and removing the extension southeast of the airport, as the New Smyrna Beach NDB has been decommissioned and the NDB approach cancelled. This action also updates the geographic coordinates of the airport and Massey Ranch Airpark to be in concert with the FAA's aeronautical database.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS;
AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 5000. Class D Airspace.

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ASO FL D New Smyrna Beach, FL [Amended]

New Smyrna Beach Municipal Airport, FL
(lat. 29°03'21"N, long. 80°56'56"W)

That airspace extending upward from the surface to but not including 1,200 feet MSL, within a 3.2-mile radius of New Smyrna Beach Municipal Airport. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Chart Supplement.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

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ASO FL E4 New Smyrna Beach, FL [Removed]

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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ASO FL E5 New Smyrna Beach, FL [Amended]

New Smyrna Beach Municipal Airport, FL
(lat. 29°03'21"N., long. 80°56'56"W.)

Massey Ranch Airpark, FL
(lat. 28°58'44"N., long. 80°55'29"W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of New Smyrna Beach Municipal Airport, and within a 6.5-mile radius of Massey Ranch Airpark.

Issued in College Park, Georgia, on **August 15, 2018.**

KEN BRISSENDEN,
Acting Manager, Operations Support Group,
Eastern Service Center, Air Traffic Organization.

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